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FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Jul 21, 2020**

SEAN F. MCAVOY, CLERK

9 UNITED STATES DISTRICT COURT  
10 FOR THE EASTERN DISTRICT OF WASHINGTON

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 [REDACTED]  
15 [REDACTED]  
16 [REDACTED]  
17 [REDACTED]  
18 LUIS ALCALA ORTEGA

19 Defendants.  
20

4:20-CR-06002-SAB

SECOND SUPERSEDING INDICTMENT

Vio.: 21 U.S.C. §§ 841(a)(1), (b)(1)(A)  
(viii), 846

Conspiracy to Possess With Intent to  
Distribute 50 Grams of Actual (Pure)  
Methamphetamine (Count 1)

21 U.S.C. § 841(a)(1), (b)(1)(B)(viii)  
Possession with Intent to Distribute 5  
Grams or More of Actual (Pure)  
Methamphetamine  
(Count 2)

18 U.S.C. §§ 922(j) and 924(a)(2)  
Possession of a Stolen Firearms  
(Count 3)

21 U.S.C. § 841(a)(1), (b)(1)(A)(viii),  
18 U.S.C. § 2  
Possession with Intent to Distribute  
50 Grams or More of Actual (Pure)  
Methamphetamine  
(Count 4)

21 U.S.C. § 841(a)(1), (b)(1)(C),  
18 U.S.C. § 2  
Possession with the Intent to  
Distribute Fentanyl  
(Count 5)

21 U.S.C. § 853, 18 U.S.C. § 924, 28  
U.S.C. § 2461  
Forfeiture Allegations

The Grand Jury charges:

COUNT 1

Beginning on a date unknown, but by November 2019, and continuing until on or  
about May 11, 2020, in the Eastern District of Washington and elsewhere, the  
Defendants, [REDACTED]

[REDACTED] LUIS ALCALA ORTEGA, and other individuals, both known and unknown to the  
Grand Jury, did knowingly and intentionally combine, conspire, confederate and agree  
together with each other to commit the following offense: possession with the intent to  
distribute and distribution of 50 grams or more of actual (pure) methamphetamine, a  
Schedule II controlled substance, in violation of 21 U.S.C. §§ 841(a)(1), (b)(1)(A)(viii),  
846.

COUNT 2

On or about December 17, 2019, in the Eastern District of Washington, the  
Defendant, [REDACTED], did knowingly and intentionally possess

1 with the intent to distribute 5 grams or more of actual (pure) methamphetamine, a  
2 Schedule II controlled substance, in violation of 21 U.S.C. § 841(a)(1), (b)(1)(B)(viii).  
3

4 COUNT 3

5 On or about December 17, 2019, in the Eastern District of Washington, the  
6 Defendant, [REDACTED], knowingly possessed stolen  
7 firearms, to wit: a Glock 27 .40 caliber pistol, bearing serial number BELM827  
8 and a Rock Island Armory 1911-A1FS .38 caliber pistol, bearing serial number  
9 RIA1246909, both of which had been shipped and transported in interstate  
10 commerce, knowing and having reasonable cause to believe the firearms were  
11 stolen, in violation of 18 U.S.C. §§ 922(j), 924(a)(2).  
12  
13  
14

15 COUNT 4

16 On or about December 18, 2019, in the Eastern District of Washington, the  
17 Defendant, [REDACTED], knowingly and intentionally  
18 possessed with intent to distribute 50 grams or more of actual (pure)  
19 methamphetamine, a Schedule II controlled substance, in violation of 21 U.S.C. §  
20 841(a)(1), (b)(1)(A)(viii), and 18 U.S.C. § 2.  
21  
22  
23

24 COUNT 5

25 On or about December 18, 2019, in the Eastern District of Washington, the  
26 Defendants, [REDACTED] [REDACTED], knowingly and intentionally  
27 possessed with intent to distribute a mixture or substance containing a detectable  
28

1 amount of N-phenyl-N-[1-(2-phenylethyl)-4-piperidiny] propanamide (aka  
2 Fentanyl), a Schedule II controlled substance, in violation of 21 U.S.C. §  
3  
4 841(a)(1), (b)(1)(C), and 18 U.S.C. § 2.

5 NOTICE OF CRIMINAL FORFEITURE

6  
7 The allegations contained in this Indictment are hereby realleged and  
8 incorporated by reference for the purpose of alleging forfeiture.

9  
10 Pursuant to 21 U.S.C. § 853, upon conviction of an offense(s) in violation of  
11 21 U.S.C. §§ 841, as set forth in Counts 1, 2, 4 and 5, of this Second Superseding  
12 Indictment, the Defendants, [REDACTED]

13  
14 [REDACTED]  
15 [REDACTED] LUIS ALCALA ORTEGA shall forfeit to  
16 the United States of America, any property constituting, or derived from, any  
17 proceeds obtained, directly or indirectly, as the result of such offense(s) and any  
18 property used or intended to be used, in any manner or part, to commit or to  
19  
20 facilitate the commission of the offense(s).

21  
22 Defendants [REDACTED]

23  
24 [REDACTED] shall forfeit assets, including, but not limited to:

25 Firearms:

26 a Ruger LCP .380 Cal Pistol S/N: 371578618; and  
27 a Colt Woodsman .22LR Pistol S/N: 98680 w/ magazine;  
28

1        Firearm Accessories:

2            a Palmetto Rifle Lower S/N: LW286012;  
3            one .223 30 round PMAG;  
4            three .22 Caliber pistol magazines;  
5            four .40 Caliber pistol magazines;  
6            three .9MM pistol magazines;  
7            one .380 pistol magazine;  
8            three unknown caliber pistol magazines; and,  
9            one unknown caliber rifle magazine w/ camouflage;

10        Ammunition:

11            Nineteen (19) rounds of .40 caliber ammunition;  
12            Seventy-five (75) rounds of 9mm ammunition;  
13            Two (2) rounds of .380 ammunition;  
14            Thirteen (13) rounds of .45 ammunition; and,  
15            Twenty-one (21) 12 gauge shotgun shells.

16            If any of the property described above, as a result of any act or omission of  
17            the Defendant(s):

- 18            a.        cannot be located upon the exercise of due diligence;  
19            b.        has been transferred or sold to, or deposited with, a third party;  
20            c.        has been placed beyond the jurisdiction of the court;  
21            d.        has been substantially diminished in value; or  
22            e.        has been commingled with other property which cannot be divided  
23                    without difficulty,  
24

25            the United States of America shall be entitled to forfeiture of substitute property  
26            pursuant to 21 U.S.C. § 853(p) and 28 U.S.C. § 2461(c).  
27  
28

1 Pursuant to 18 U.S.C. § 924(d)(1) and 28 U.S.C. § 2461(c), upon conviction  
2 of an offense in violation of 18 U.S.C. §§ 922(j), 924(a)(2), as charged in Count 3  
3 of this Second Superseding Indictment, the Defendant, [REDACTED]  
4 [REDACTED], shall forfeit any firearms and ammunition involved in the offense.  
5

6  
7 DATED this \_\_\_\_ day of July 2020.

8 A TRUE BILL

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10 \_\_\_\_\_  
Foreperson

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13 \_\_\_\_\_  
William D. Hyslop  
14 United States Attorney  
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Stephanie Van Marter  
18 Assistant United States Attorney  
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